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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Friend et al.

Application No.: 09/220,275

Group Art Unit: 1631

Filed: December 23, 1998

Examiner: Lundgren, J.

For: METHODS FOR USING  
CO-REGULATED GENESETS TO  
ENHANCE DETECTION AND  
CLASSIFICATION OF GENE  
EXPRESSION PATTERNS

Attorney Docket No.: 9301-039-999

SUPPLEMENTAL INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. §1.56

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In accordance with the continuing duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of any claim of the application, Attorneys for Applicants hereby direct the Examiner's attention to references HC-HL listed on the attached revised form PTO-1449. A copy of reference HH is enclosed. The instant application is a continuation-in-part of patent application Serial No. 09/179,569, filed October 27, 1998. References HG and HI-HL on the attached revised form PTO 1449 were cited by or submitted to the Patent Office in connection with patent application Serial No. 09/179,269, to which the instant application claims priority pursuant to 35 U.S.C. § 120. Pursuant to 37 C.F.R. § 1.98(d), the Examiner is directed to the file of application Serial No. 09/179,269 for copies of references HG and HI-HL. Pursuant to 37 C.F.R. §1.98(a)(2)(iii), references HC-HF, which are U.S. applications, are not enclosed.

Identification of the listed references is not to be construed an admission of the Applicants or Attorneys for Applicants that such references are available as "prior art" against

the subject application. Consequently, Applicants respectfully decline to use form PTO-1449, since this form identifies all of the references cited therein as "Prior Art." As an alternative, Applicants submit herewith one page of a "revised form PTO 1449" entitled "List of References Cited".

Applicants respectfully request that the Examiner review the foregoing references and that the references be made of record in the file history of the application.

The Supplemental Information Disclosure Statement is being filed after the first Office Action was mailed. Pursuant to 37 C.F.R. § 1.97(c), it is estimated that a fee of \$240.00 is due for this submission. Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed for accounting purposes.

Respectfully submitted,

Date September 29, 2000

Adriane M. Antler 32,605  
Adriane M. Antler (Reg. No.)

**PENNIE & EDMONDS LLP**  
1155 Avenue of the Americas  
New York, New York 10036-2711  
(212) 790-9090

Enclosures